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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,595	09/29/2003	Atsushi Sakurai	1341.1162	8549

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EXAMINER
BOYCE, ANDRE D

ART UNIT	PAPER NUMBER
3623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/671,595	SAKURAI ET AL.
	Examiner	Art Unit	
	Andre Boyce	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 November 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO/SB/08)	5)☐ Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1.   This Final office action is in response to Applicant's amendment filed November

2, 2006. Claims 1 and 3-5 have been amended. Claims 6 and 7 have been added

and claims 1-7 are pending.

2.   Applicant's arguments filed November 2, 2006 have been fully considered but

they are not persuasive.

Claim Rejections - 35 USC § 102

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Jenkins

et al (US 2002/0188499).

As per claim 1, Jenkins et al disclose a computer program for realizing supply-

demand planning in a supply chain (i.e., fulfillment system 100 allowing users to

match flow of supply to demand by creating an optimal inventory strategy, ¶ 0013),

the computer program making a computer execute: fetching switching information

(i.e., level of each SKU and planned arrivals/orders, ¶ 0039) corresponding to a

base (i.e., destination and/or source, ¶ 0039) and an item (i.e., SKU) from a table,

which contains the switching information corresponding to the base and the item

(i.e., sourcing table in database 600, wherein planning component 210 determines a level for each SKU, including destinations and sources that replenish the SKU, ¶ 0039); and performing selectively, depending upon the switching information (i.e., depending on data, the system uses one of two styles of aggregation forecast or inventory, ¶¶ 0083-84), a supply-demand planning per order (i.e., the planning component 210 generates planned orders to cover demand that occurs, ¶ 0048) or a supply-demand planning based on total amount of orders (i.e., any demand that occurs within a period is aggregated together and met with a single planned order, ¶ 0048).

As per claim 2, Jenkins et al disclose calculating and accumulating all amounts of orders for the item to obtain the total amount of orders (i.e., planning component 210 processes all demand for a SKU, ¶ 0039).

Claim 3 is rejected based upon the rejection of claim 1, since it is the method claim corresponding to the computer program claim. In addition, Jenkins et al discloses creating a table containing switching information corresponding to a base and an item (i.e., sourcing table in database 600, wherein planning component 210 determines a level for each SKU, including destinations and sources that replenish the SKU, ¶ 0039).

Claim 4 is rejected based upon the rejection of claim 1, since it is the computer readable recording medium claim corresponding to the computer program claim.

As per claim 5, Jenkins et al disclose a computer program for making supply-demand planning for each base (i.e., destination and/or source, ¶ 0039) in a supply

chain (i.e., fulfillment system 100 allowing users to match flow of supply to demand

by creating an optimal inventory strategy, ¶ 0013) in which a plurality of bases are

cascaded (i.e., higher level SKUs consisting of a plurality of source SKUs, ¶ 0039),

the computer program making a computer to execute: processing a procurement-

driven planning in which the supply-demand planning is made for a plurality of bases

associated with an order unit (i.e., planning component 210 processes all demand

for a SKU, including higher level SKUs that have a plurality of sources, ¶ 0039);

processing a manufacturing-driven planning in which the supply-demand planning is

made based on a total amount of orders for a specific base (i.e., the planning

component adjusts scheduling based upon total shipments for a source, ¶¶ 0044-

45); and making the supply-demand planning for the whole supply chain by

selectively (i.e., depending on data, the system uses one of two styles of

aggregation forecast or inventory, ¶¶ 0083-84) using the procurement-driven

planning (i.e., the planning component 210 generates planned orders to cover

demand that occurs, ¶ 0048) or the manufacturing-driven planning (i.e., any demand

that occurs within a period is aggregated together and met with a single planned

order, ¶ 0048) based on switching information that is managed associated with a

combination of a base and an item (i.e., level of each SKU and planned

arrivals/orders, ¶ 0039).

As per claim 6, Jenkins et al disclose a supply-demand planning system (i.e.,

fulfillment system 100 allowing users to match flow of supply to demand by creating

an optimal inventory strategy, ¶ 0013) comprising: a table of orders, each order

relating to an item and an entity storing or producing the item within a supply chain,

the order including switching information related to either a procurement-driven

supply-demand planning or a manufacturing-driven supply-demand planning (i.e.,

sourcing table in database 600, wherein planning component 210 determines a level

for each SKU, including destinations and sources that replenish the SKU, ¶ 0039);

and a planning unit that generates a supply-demand plan according to the

procurement-driven supply-demand planning (i.e., planning component 210

processes all demand for a SKU, including higher level SKUs that have a plurality of

sources, ¶ 0039) or the manufacturing-driven supply-demand planning associated

with the switching information (i.e., the planning component adjusts scheduling

based upon total shipments for a source, ¶¶ 0044-45).

As per claim 7, Jenkins et al disclose at least one of: a database storing data

related to entities in the supply chain and items produced or stored therein (i.e.,

database 600, ¶ 0019); and a procurement-driven engine and a management-driven

engine controlled by the planning unit to make the supply-demand plan (i.e.,

distribution module 200, ¶ 0027).

Response to Arguments

5.   In the Remarks, Applicant argues, with respect to claims 1, 3 and 4, that Jenkins

et al does not teach or suggest performing selectively, depending upon the switching

information, a supply-demand planning per order or a supply-demand planning

based on total amount of order. The Examiner respectfully disagrees and submits

that Jenkins et al disclose depending on data, the system uses one of two styles of aggregation forecast or inventory (¶¶ 0083-84), thus indeed disclosing performing selectively, depending upon the switching information, a supply-demand planning per order or a supply-demand planning based on total amount of order.

With respect to claim 3, Applicant also argues that claim 3 includes creating a table containing switching information corresponding to a base and an item, thus making it distinct from claim 1. The Examiner submits that Jenkins et al disclose sourcing table in database 600, wherein planning component 210 determines a level for each SKU, including destinations and sources that replenish the SKU (¶ 0039) and system 100 displaying a table presenting projections for the distributed network sourced from a SKU for a specific time period (¶ 0081), thus indeed disclosing creating a table containing switching information corresponding to a base and an item.

With respect to claim 4, Applicant also argues that the claim is patentable over Jenkins et al by reciting fetching switching information corresponding to a base and an item from a table. The Examiner respectfully disagrees and submits that Jenkins et al discloses fetching switching information (i.e., level of each SKU and planned arrivals/orders, ¶ 0039) corresponding to a base (i.e., destination and/or source, ¶ 0039) and an item (i.e., SKU) from a table, which contains the switching information corresponding to the base and the item (i.e., sourcing table in database 600, wherein planning component 210 determines a level for each SKU, including destinations and sources that replenish the SKU, ¶ 0039).

With respect to claim 5, Applicant argues that the claim is patentable over

Jenkins et al by reciting making the supply-demand planning for the whole supply

chain by selectively using the procurement-driven planning or the manufacturing-

driven planning based on switching information that is managed associated with a

combination of a base and an item. The Examiner respectfully disagrees and

submits that Jenkins et al disclose making the supply-demand planning for the whole

supply chain by selectively (i.e., depending on data, the system uses one of two

styles of aggregation forecast or inventory, ¶¶ 0083-84) using the procurement-

driven planning (i.e., the planning component 210 generates planned orders to cover

demand that occurs, ¶ 0048) or the manufacturing-driven planning (i.e., any demand

that occurs within a period is aggregated together and met with a single planned

order, ¶ 0048) based on switching information that is managed associated with a

combination of a base and an item (i.e., level of each SKU and planned

arrivals/orders, ¶ 0039).

With respect to new claims 6 and 7, Applicant argues that the claims are

patentable over Jenkins et al. The Examiner respectfully disagrees and submits that

Jenkins et al discloses the limitations of the claims as seen in the above rejection.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and

any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

date of the advisory action. In no event, however, will the statutory period for reply

expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andre Boyce whose telephone number is (571) 272-

6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-

8300.

Information regarding the status of an application may be obtained from the

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assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-

272-1000.

adb
January 17, 2007

ANDRE BOYCE
PATENT EXAMINER
A.U. 3623